

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

PADDOCK AT EASTPOINT, LLC, LOUIS K.
KLEMENZ, AND ST. JOSEPH CATHOLIC
ORPHAN SOCIETY

COMPLAINANTS

v.

LOUISVILLE GAS AND ELECTRIC COMPANY

DEFENDANT

CASE NO. 2004-00293

O R D E R

On September 10, 2004, the parties to this case attended an informal conference at which the procedural schedule was discussed. A mediation was set for October 7, 2004 and, if that mediation was not successful in resolving the dispute, the parties agreed on a briefing schedule. The Commission is now informed that the parties have not reached a settlement of the complaint.

Therefore, the parties should file briefs on the issue of whether the amendments to KRS 278.020 enacted as Chapter 75 during the last legislative session require the Defendant in this case to obtain a certificate to build the transmission line that is the subject of the complaint.

The Commission, being sufficiently advised, HEREBY ORDERS that simultaneous opening briefs shall be filed no later than October 27, 2004, and simultaneous responsive briefs shall be filed no later than November 16, 2004.

Done at Frankfort, Kentucky, this 15th day of October, 2004.

By the Commission

ATTEST:


Executive Director

Done at Frankfort, Kentucky, this

PUBLIC SERVICE COMMISSION

For the Commission

ATTEST:

Executive Director

Case No. 2004-00293